

Attorney Docket No.: 10134.200-US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Frank et al.

Confirmation No: 9961

Serial No.: 10/092,877

Group Art Unit: 2856

Filed: March 7, 2002

Examiner: Miller, Mary Rose

For: Method of Analyzing Granular Composition By Acoustic Emission

CERTIFICATE OF FACSIMILE TRANSMISSION

Box DAC  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

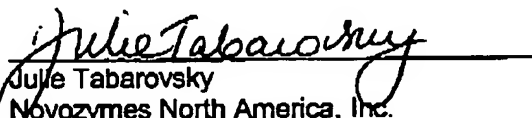
I hereby certify that the attached correspondence comprising:

1. Petition for Revival of an Application for Patent Mistakenly Abandoned by USPTO

was sent to the United States Patent and Trademark Office by telefax to the attention of Examiner Miller, Mary Rose, fax number (703)872-9306.

Respectfully submitted,

Date: April 7, 2005

  
Julie Tabarovsky  
Novozymes North America, Inc.  
500 Fifth Avenue, Suite 1600  
New York, NY 10110  
(212) 840-0097

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
MISTAKENLY ABANDONED BY THE USPTOBox DAC  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The above-captioned patent application was mistakenly abandoned by the USPTO on March 14, 2005. Applicants respectfully request that the application should be revived as a USPTO error is the cause for the abandonment. The USPTO error is explained below:

1. On October 15, 2004, Applicants submitted an Issue Fee Transmittal along with 5 Sheets of Formal Drawings addressing the changes discussed and agreed to with the Examiner. Such issue Fee Transmittal and submission of Formal Drawings were timely.
2. On March 14, 2004, Applicants received a Notice of Abandonment indicating that the above-captioned application was abandoned for "Applicant's failure to timely file a proper reply to the Office letter mailed on 11/21/4."
3. Applicants have no record of ever receiving an Office letter mailed on November 21, 2004.
4. The USPTO's PAIR system has no record of an Office letter being mailed on November 21, 2004.
5. Applicants telephoned the Examiner in charge of the application, Examiner Mary Rose Miller. Examiner Miller indicated that from the USPTO's records, it appears that the USPTO draftsman indicated that an objection to formal drawings was to have been sent out after Applicants paid the issue fee on October 15, 2004. The Examiner said that such objection to formal drawings, however, was apparently

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directed to the drawings submitted with the original Application, not the 5 Sheets of Formal Drawings submitted on October 15, 2004 with Applicants' Issue Fee Transmittal and payment.

Accordingly, the above-captioned Application was improperly abandoned by the USPTO, and Applicants respectfully request withdrawal of the notice of abandonment and issuance of the patent.

As this error is entirely a USPTO error, Applicants believe that no fees are due and owing. However, should any fee be due and owing, Applicants authorize the USPTO to charge the required fee to Novozymes North America, Inc., Deposit Account No. 50-1701.

Respectfully submitted,

Date: April 7, 2005



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